

REMARKS/ARGUMENTS

Applicant has reviewed and considered the Office Action dated April 21, 2005 and the references cited therein. In response thereto, claims 1, 8, 16, 23, 30, and 38 are amended. Claims 1-44 are pending in the present application.

Rejection Under 35 U.S.C. § 103

Claims 1-44 were rejected under 35 U.S.C. § 103 as being unpatentable over Desai et al. (6,877,093) in view of either Kawagishi (6,707,892) or Ohki et al. (6,644,553). Applicant respectfully traverses the rejection for at least the following reasons.

Claim 1 now recites a method for downloading an application to a card terminal via a network, comprising: receiving via a network a request to download an application to a particular card terminal; translating the request into a format corresponding to the particular card terminal; monitoring the particular card terminal to detect activity from the particular card terminal; and electronically transmitting to the particular card terminal a message related to the translated request, upon detecting a particular activity at the card terminal, for use in downloading the application to the card terminal.

Desai describes a transaction processing device capable of secure communication over a public network or a private network for performing various transactions. More particularly, Desai describes a transaction processing device configured as a standalone transaction processing terminal, capable of secure provisioning and/or configuration over a public network, for example, the Internet. However, Desai fails to disclose or teach a method of downloading an application to a particular card terminal by monitoring the particular card terminal to detect activity from the particular card terminal, and electronically transmitting to the particular card terminal a message related to a request to download the application, upon detecting a particular activity at the card terminal, for use in downloading the application to the card terminal, as recited in claim 1. The support can be found in the present specification, from page 19, line 3 to page 20, line 14. In one embodiment of the claimed invention, a system server waits until a request for a transaction or a closing of a batch at the card terminal to download the file with configuration data, re-configuration data, or other applications, etc. Desai merely discloses

receiving authorization to provide the updated confirmation information to the selected transaction processing device and remotely providing the updated configuration information to the selected transaction processing device. Desai does not disclose or teach monitoring a particular card terminal to detect activity from the particular card terminal. Further, Desai does not disclose or teach transmitting configuration data, updates, and/or other applications upon detection of activity at the particular card terminal.

Kawagishi describes an IC card terminal device. More particularly, Kawagishi describes an IC card terminal device for reading functions stored in an IC card inserted therein and displaying them on its screen for a card user to select and execute one of the functions. However, Kawagishi also does not disclose or teach the above discussed features. Accordingly, the combination of Desai and Kawagishi does not result in claim 1. Thus, Applicant respectfully submits that claim 1 patentably distinguishes over Desai in view of Kawagishi.

The remaining independent claims 8, 16, 23, 30, and 38 also recite the patentable features as discussed above. Thus, Applicant respectfully submits that claims 8, 16, 23, 30, 38 and the remaining dependent claims are also patentable over Desai in view of Kawagishi.


Conclusion

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration and examination of the present application are respectfully requested. If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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